

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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Southern District of New York
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Attorney-in-Charge

June 29, 2023

BY ECF

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: **United States v. Jermaine Nelson,**
22 Cr. 436 (JGK)

Dear Judge Koeltl:

I write to request that the Court adjourn Mr. Nelson's sentencing, which is currently scheduled for July 13, by approximately 30 days. This adjournment is necessary for the effective representation of Mr. Nelson for two reasons. First, I need additional time to prepare for sentencing. Second, the requested adjournment will allow me to consider how very recent legal developments—i.e., decisions this month in which courts have held that 18 U.S.C. § 922(g)(1) violates the Second Amendment, as interpreted by New York State Rifle & Pistol Ass'n, Inc. v. Bruen, 142 S. Ct. 2111 (2022), under certain circumstances—may apply in Mr. Nelson's case. See Range v. Att'y Gen., 69 F.4th 96 (3d Cir. June 6, 2023) (en banc); United States v. Jessie Bullock, 2023 WL 4232309 (S.D. Miss. June 28, 2023).

This is my first application to adjourn sentencing. I have discussed this request with government counsel, and I understand that the government has not yet determined its position on this application.

Sincerely,

/s/

Clay H. Kaminsky
Assistant Federal Defender
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CC: AUSA Alexandra Messiter

ADJOURNED TO WEDNESDAY,
SEPTEMBER 27, 2023,
AT 3:30PM

SO ORDERED.

7/5/23 7/6/23 ✓ S O U